D-3077CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT

pplication of: In re

Russell Pflueger

Group Art Unit: 3743

Serial No. 10/541,255

Examiner: Unknown

Filed: March 27, 2006

For:

APPARATUS AND METHODS FOR)

TREATING SLEEP APNEA

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449. concession is made that these documents are prior art, applicant expressly reserves the right to antedate the documents as may be appropriate. Applicant requests that each of these documents be made of record in the above-identified application.

Respectfully submitted,

Frank J./Uxa

Attorney for Applicant

Reg. No. 25,612

4 Venture, Suite 300

Irvine, CA 92618

(949) 450-1750

Facsimile (949) 450-1764

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Form PTO-1449 Docket Number: D-3077CIP **Application Number: 1** INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION Filling Date: 3/27/06 3743 Group Art Unit: (Use several sheets if necessary) **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER NAME DATE CLASS SUBCLASS RULING DATE 4 8 3 07/18/89 Wallsten et al. 4 8 7 5 4 8 0 10/24/89 **Imbert** Savin et al. 4 9 5 0 2 2 7 08/21/90 5 0 6 3 7 06/25/91 Burton et al. 5 0 3 . 7 4 2 08/06/91 Harada et al. 1 5 0 4 8 5 8 09/17/91 Eliachar et al. 5 0 2 10/29/91 6 7 Wallsten et al. 5 5 0 6 4 4 3 5 11/12/91 Porter 5 0 4 0 12/10/91 Termin et al. 5 0 8 7 0 01/07/92 Burton et al. 5 --8 1 6 06/02/92 Shapiro FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO. OTHER DOCUMENTS **EXAMINER DATE CONSIDERED** 

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Sheet 4 of .15

Form PTO-1449 Application Number: 10/541,255 Docket Number: D-3077 CTP INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION Filing Date: 3/27/06(Use several sheets if necessary) Group Art Unit: 3743 **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER CLASS SUBCLASS RULING DATE 05/27/97 Boatman et al. 5 2 7 6 4 3 7 07/01/97 Parks 5 4 3 6 3 0 07/01/97 9 Myler et al. 5 6 4 9 5 0 07/22/97 Alvarez et al. Linder 5. 6. 6 4 5 6 7 09/09/97 5 9 8 O. 11/04/97 Meade 5 6 8 3 5 11/04/97 4 Lenker et al. 5 7 Ô 9 . 7 0 3 01/20/98 Lukic et al. 5 2 4 02/17/98 Muchin 5 04/14/98 Edwards Ż 5 7 6 6 8 06/30/98 Summers et al. FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO **OTHER DOCUMENTS EXAMINER** DATE CONSIDERED EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Sheet 5 of 15

Application Number: 10/541,255Form PTO-1449 Docket Number: D-3077 CIP INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION Filing Date: 3/27/06 Group Art Unit: 3743 (Use several sheets if necessary) **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER CLASS DATE SUBCLASS RULING DATE 7 2 07/07/98 Gunderson 5 7 9 1 3 4 08/11/98 Bullard 1 5 7 9 7 9 5 2 08/25/98 Klein 5 0 0 3 7 9 09/01/98 Edwards 5 8 1 5 9 0 4 10/06/98 Clubb et al. 5 8 3 6 9 6 6 11/17/98 St. Germain 5 8 6 8 8 .3 02/09/99 1 Halstrom 5 8 9 3 3 6 5 04/13/99 Anderson 5 7 9 1 5 2 06/15/99 Dustrude et al. 5 9 5 0 6 2 4 09/14/99 Hart 5 9 5 0 5 0 09/21/99 Christopher FOREIGN PATENT DOCUMENTS ... **DOCUMENT NUMBER** DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO **OTHER DOCUMENTS DATE CONSIDERED EXAMINER** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Sheet 6 of 15

Application Number: 10/541,255Docket Number: D-3077 CIP Form PTO-1449 INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION 3/27/06 Group Art Unit: 3743 Filing Date: (Use several sheets if necessary) U.S. PATENT DOCUMENTS SUBCLASS CLASS **RULING DATE** DATE EXAMINER INITIAL DOCUMENT NUMBER IF APPROPRIATE 10/26/99 Estes et al. 0 9 5 5 9 Holman 5 3 3 11/09/99 9 8 0 5 11/23/99 **Thomas** 1 7 5 9 8 8 0 4 3 2 12/21/99 Filis 0 0 6 Thorud et al. 7 9 02/01/00 1 9 6 0 02/08/00 Johnson et al. 3 2 3 4 6 0 7 6 02/22/00 Kolobow et al. 5 1 6 0 2 Donadio III 2 7 8 6 3 02/22/00 0 6 03/07/00 Vidlund et al. 3 3 9 4 6 .0 3 05/09/00 Muchin 9 3 5 6 0 5 07/18/00 Beyar et al. 6 0 1 FOREIGN PATENT DOCUMENTS TRANSLATION " CLASS SUBCLASS COUNTRY . DATE DOCUMENT NUMBER NO OTHER DOCUMENTS **DATE CONSIDERED EXAMINER** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP \$ 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Sheet 7 . of . 15

Form PTO-1449 Application Number: 10/541,255Docket Number: D-3077 CIP INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION 3/27/06 Group Art Unit: 3743 (Use several sheets if necessary) Filing Date: **U. S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER DATE CLASS SUBCLASS RULING DATE 0 9 5 3 07/25/00 Belfer 9 6 0 8 6 1 6 08/08/00 Lundy Jr. et al. 6 0 5 08/22/00 1 . 6 4 1 Hurbis 6 0 1 6 4 08/29/00 Vidlund 3 0 8 09/26/00 **Berthon-Jones** 6 2 6 6 10/03/00 . . . 1 Bourgeois et al. 6 2 6 7 1 6 5 10/03/00 Edwards 6 2 9. 0 8 10/10/00 Bergersen 6 3 4 2 6 0 10/17/00 Thompson 4 6 3 2 6 10/17/00 Thompson 6 6 5 4 12/19/00 Woodson FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY SUBCLASS TRANSLATION YES NO **OTHER DOCUMENTS EXAMINER DATE CONSIDERED** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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Application Number: 10/541, 25 Form PTO-1449 Docket Number: D-3077 CIP INFORMATION DISCLOSURE CITATION Applicant: Pflueger IN AN APPLICATION Filling Date: . 3/27/06 . Group Art Unit: .3743 (Use several sheets if necessary) **U. S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER ÇLASS SUBCLASS DATE RULING DATE 6 3 9 3 04/30/02 Gaumond et al. 6 3 8 6 1 9 9 05/14/02 Alfery 05/21/02 6 ż 9 0 0 9 6 Conrad et al. 6 0 7 06/11/02 Conrad et al. 6 4 0 8 8 5 2 06/25/02 Tielemans 6 4 1 9 6 07/16/02 Mark et al. 1 6 4 2 7 6 8 6 08/06/02 Augustine et al. 6 5 0 1 09/17/02 6 9 Conrad et al. 6 7 4 3 3 9 11/05/02 Grosbois et al. 6 8 5 2 4 4 5 11/26/02 Strecker 6 8 8 0 0 12/03/02 Klumb et al. FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER COUNTRY CLASS SUBCLASS TRANSLATION DATE 2.0 4 **OTHER DOCUMENTS EXAMINER DATE CONSIDERED** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP \$ 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Docket No.: D-3077 CTP Application No.:10/541, 255 Form PTO-1449 Applicant: Pflueger INFORMATION DISCLOSURE CITATION Filing Date: -**Group Art Unit:** IN AN APPLICATION 3/27/06 3743 (Use several sheets if necessary) **U. S. PATENT DOCUMENTS** EXAMINER **DOCUMENT NUMBER** DATE NAME SUBCLASS CLASS FILING DATE INITIAL IF APPROPRIATE 6,415,796 7/2002 CONRAD ET AL 6,431,174 8/2002 KNUDSON ET AL 6,453,905 9/2002 CONRAD ET AL 6,502,574 1/2003 STEVENS ET AL 6,513,530 2/2003 KNUDSON ET AL 6,513,531 2/2003 KNUDSON ET AL 6,516,806 2/2003 KNUDSON ET AL 6,523,541 2/2003 KNUDSON ET AL 6,523,542 2/2003 KNUDSON ET AL 6,523,543 2/2003 **CONRAD ET AL** 6,546,936. 4/2003 KNUDSON ET AL 6,578,580 6/2003 CONRAD ET AL 6,607,584 8/5/2003 KNUDSON ET AL FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER COUNTRY CLASS SUBCLASS TRANSLATION 199 20 114 A1 5/1999 GERMANY (Eng. Trasnlation) OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) ÀΑ AB AC AD ΑE ΑF AG AH **EXAMINER DATE CONSIDERED** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. include copy of this form with next communication to the applicant.

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		6,634,362	10/2003	CONRAD ET AL				
		6,636,767	10/2003	KNUDSON ET AL				
	·	6,742,524	6/2004	KNUDSON ET AL				
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		5,176,618	1/1993	FREEDMAN				
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	5,699,377	09/1997	Fenn							
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:	5,922,006	07/1999	Sugerman				·			
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Docket No.: D-3077CIP Application No.: 10/541,255 Form PTO-1449 Applicant: Pflueger INFORMATION DISCLOSURE CITATION Group Art Unit: 3743 IN AN APPLICATION Filing Date: 3/27/06 (Use several sheets if necessary) **U. S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME CLASS SUBCLASS **FILING DATE** INITIAL IF APPROPRIATE 5,065,756 11/1991 Rapoport 5,355,874 10/1994 Bertram 5,720,275 02/1998 Patil et al. 6,306,141 10/2001 **Jervis** 2004/0045555 A1 03/2004 Nelson et al. 2004/0045555 A1 03/2004 Nelson et al. 2004/0049102 A1 03/2004 Nelson et al. 2004/0139975 A1 07/2004 Nelson et al. 2001/0052344 A1 12/2001 Doshi 2002/0040712 A1 04/2002 Chou **FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER** DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) AA AΒ ACAD ΑE AF AG ΑH **EXAMINER DATE CONSIDERED** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.